



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

ENVIRONMENT, FISH AND WILDLIFE

October 31, 2006

In reply refer to: KE-4

Dr. Tom Karier, Chairman
Northwest Power and Conservation Council
851 S.W. Sixth Avenue, Suite 1100
Portland, OR 97204-1348

Dear Chairman Karier:

Thank you for providing the opportunity to comment on the Northwest Power and Conservation Council's (Council) draft proposal to develop biological objectives for the "ecological provinces," dated August 22, 2006 (2006-15).

We concur that explicit provincial-scale objectives could be an essential structural feature of a maturing program framework. We believe that well-conceived objectives could help guide program planning, improve program performance at the habitat or population level, deliver a more robust reporting of results and accounting for progress, and support a more biologically effective and strategically focused outcome from future project solicitations. The Bonneville Power Administration (BPA) sincerely appreciates the Council's willingness to engage the region in considering the next steps in a process to develop them at the provincial level. However, BPA also acknowledges the significance of the issues you have raised about how to design and implement objectives into this "tier" of the overall program. We believe the implications warrant broader discussion and much more consideration before proposing to amend the program.

With the Council's project recommendations for FY 07-09 nearly completed, we also share your desire to move back to work on the many policy issues inherent in the program. We concur with the Council's interest in conducting regional reviews and re-evaluating the implementation emphases in the program areas of research, monitoring and evaluation; data management; coordination; and wildlife mitigation operations and maintenance. It will be important to prioritize and sequence these latter initiatives, and to consider how and when the proposed effort to develop province-scale biological objectives would mesh with these anticipated program-area reviews. This is of critical importance because launching program-area reviews and a program amendment process simultaneously will likely diminish the likelihood of success for both initiatives.

As noted in the August 22 proposal, "the Council and the region need to stand back and assess what is the meaning of all this mass of plans and information that we have caused to be developed and adopted into the program." While we wholeheartedly agree, we also believe that a first step in developing province-level biological objectives should be to more clearly describe the array of choices for biological objectives and from that, select the type(s) of objectives for inclusion in the program. Until such an effort is completed, BPA cannot support the development of province-level biological objectives.

Regarding the kinds of objectives that the Council could develop, BPA notes that although population goals may be appropriate as overarching statements of program direction, a broader understanding of the role, function and content of numerical biological objectives at an intermediate geographic scale, and a confirmation of their applicability as a guide to the entire region's implementation activities, is sorely needed. In our view, biological objectives could be the preferred basis for organizing, synthesizing, prioritizing and targeting, tactically, all of the region's efforts: for actions and spending from all quarters, and not just the expenditures from BPA that have become the singular focus of the Council's guidance.

Additionally, we believe that province level biological objectives could advance our shared goals for maximizing program benefits to fish and wildlife populations affected by the federal hydrosystem, by managing to clearly identified and prioritized objectives, within established budget levels. A major consideration in any relative prioritization also entails a balancing of both strong-stock and weak-stock management priorities by province, as well as geographic focus and the staging or sequencing of mitigation activities. If orchestrated appropriately, objectives should be ultimately about creativity and pragmatism in assigning needed effort, that in increments, adds up to a total positive contribution to the resource, within which BPA's hydro obligation and funding commitments are just one component.

In contrast, the development of province-scale biological objectives should not simply perpetuate a belief that BPA should fund all the strategies and actions proposed in the subbasin plans. Limiting factors affecting fish and wildlife populations across their entire lifecycle are not exclusively BPA's responsibility.

Consequently, a key issue to resolve is the relationship between the province-level biological objectives developed in a possible amendment process, and BPA's protection and mitigation responsibilities under the Northwest Power Act. A partitioning of human caused effects on fish and wildlife populations is a critical element for the Administrator to determining BPA's share of responsibility for achieving biological objectives. This is particularly important if the objectives are population-based, because while the federal hydrosystem certainly bears significant mitigation responsibilities, the Power Act does not envision a BPA mitigation responsibility for the cumulative effects of 200 years of European settlement, all the accompanying habitat degradation, the continued adverse affects of 19th and early 20th century overharvest, or the effects of the myriad of non-federal dams.

To underscore the above point, we note that the Council's August 22 proposal indicates that "these objectives will express in quantitative terms the nature of the changes the program seeks to achieve in key fish and wildlife populations and their habitats." Because the Act envisions a program to address more than just the mitigation responsibilities of the Federal Columbia River Power System (FCRPS), if fish and wildlife *populations* are the primary type of objective that is developed in this process, and a partitioning of human-caused impacts causing the gap between current status and desired population levels is not part of this effort, these objectives will be little use and value in guiding BPA expenditures under its share of responsibility for the achievement of broader Program purposes. In addition, the partitioning of mitigation responsibilities for achieving population-based objectives is particularly challenging for populations that are affected by harvest management decisions outside of the purview of the Council process.

We raise these points because beginning with the 2000 amendments, the Program has evolved from earlier efforts to address federal and non-federal dams together as a system, and been narrowed to its current, nearly exclusive focus on the FCRPS and BPA. Inevitably, an expectation has arisen that BPA should address all impacts to all fish and wildlife, and meet all the needs of program infrastructure, all at once – as somehow representative of the agency’s responsibilities and “obligations.” The inference for the Council’s proposal is now inescapable: the Council will need to develop and organize its proposed biological objectives to refocus the program to either synthesize over 100 non-federal dams into the plan alongside the current emphasis on the federal hydrosystem, or to tailor the objectives more narrowly to just BPA’s FCRPS mitigation efforts.

In terms of the five specific biological objective-related questions that the Council solicited input on in its August 22 document, we offer the following thoughts:

1. Should the Council continue working toward the goal of adopting quantitative biological objectives as described here into the Fish and Wildlife Program through a program amendment process under Section 4(h) of the Northwest Power Act?

BPA cannot support the region working towards the goal of adopting quantitative biological objectives until the alternatives have been identified and explored, and when the choices for such objectives are defined and agreed upon. The “appropriate” objectives would clearly better focus mitigation efforts towards the achievement of clearly defined outcomes. However, the “inappropriate” type creates a risk of unclear division of mitigation responsibilities, and could create a major and acrimonious distraction from mitigation activities.

2. Is the premise correct that the effort to add biological objectives of this type and scale to the program is likely to be successful only if the Council and its regional partners first complete the technical preparation described here?

In theory we wholeheartedly agree that the effort to develop biological objectives should wait until the region completes the All-H Analyzer (AHA) analysis, but we see potential risk that the AHA analysis may not reach a conclusion that is widely supported by all interests. The AHA initiative, while laudable in its vision, may -- as many complicated previous modeling efforts have -- crumble under the weight of its own complexity as well as the potential controversy associated with its outcomes. We suggest that the Council actively engage this effort and work with parties to simplify it, thereby increasing the likelihood of reaching a tangible and useful conclusion.

3. More precisely, would the proposed amendment process to add biological objectives to the program benefit from waiting until the products are available from the NOAA Hatchery Review and the NOAA Technical Recovery Team recovery planning efforts, even if that means a delay until 2008 in the amendment process?

We agree the proposed amendment process should wait until the products are available from the NOAA Hatchery Review and NOAA’s Technical Recovery Team efforts, but it will be important to attempt to shape these efforts to ensure that among other things, the outcomes from them are consistent with what the Council would need as inputs for the potential amendment process.

4 and 5. Is there a different approach and schedule that makes more sense for the Council to use to add objectives of this type to the program? On what basis could the Council pursue objectives if it proceeded without completing the technical work described here?

One other possible approach could be a strategic planning effort to help shape activities and priorities for habitat enhancement and resident fish mitigation. Subbasin plans contain a wealth of information that could be rolled-up to develop habitat and environmental objectives at the province level, and to optimize activities between strong-stock and weak-stock work.

In addition, such an effort could take into account the potential future affects of population growth in the Columbia ecosystem, changing land use, and climate change, thereby not only allowing for these latter factors to be taken into account in focusing mitigation activities, but also in engaging state and local land use planning bodies to ensure that what is envisioned as the highest quality habitat over the next 100 years is appropriately protected. In such an effort, the Council should draw upon the thinking from both the Salmon 2100 project, and the Wild Salmon Center's salmon stronghold initiative.

In summary, we believe that detailed provincial objectives which bridge programmatic and subbasin level objectives could help support a cross-province evaluation of relative priorities and lead to a more focused allocation of mitigation responsibility and implementation spending. Objectives could promote implementation of new projects that are more precisely targeted to unmet needs in priority areas. And they would provide a more principled and defensible basis for project funding decisions within certain program areas, and for the reallocation of spending for ongoing work that is of lesser priority, in order to free-up funds for additional on-the-ground project spending.

Thank you for considering our comments. We look forward to working with you and your staff to determine the most productive path for developing biological objectives that further the Program outcomes we have endorsed.

Sincerely,

/s/ G.K. Delwiche

Gregory K. Delwiche
Vice President, Environment, Fish and Wildlife

cc:

Mr. Brian Lipscomb, Columbia Basin Fish & Wildlife Authority
Mr. D. Robert Lohn, NOAA Fisheries
Mr. Ren Lohofener, U.S. Fish & Wildlife Service
Ms. Mary Verner, Upper Columbia United Tribes
Mr. Olney Patt, Jr., Columbia River Intertribal Fish Commission
Ms. Judi Danielson, Northwest Power & Conservation Council
Mr. Jim Kempton, Northwest Power & Conservation Council
Ms. Joan Dukes, Northwest Power & Conservation Council
Mr. Bruce Measure, Northwest Power & Conservation Council
Ms. Rhonda Whiting, Northwest Power & Conservation Council
Mr. Larry Cassidy, Northwest Power & Conservation Council
Ms. Melinda Eden, Northwest Power & Conservation Council
Mr. Doug Marker, Northwest Power & Conservation Council